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*Attorneys for Creditor  
Select Portfolio Servicing, as loan  
servicer and attorney-in-fact for ACE  
Securities Corp., Home Equity Loan Trust, Series 2006-NC3,  
Asset Backed Pass-Through Certificates*

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

IN RE:

TRACY LEE ROUSE-HURST,  
  
Debtor.

**CASE NO.: BK-12-23874-BTB**

**Chapter: 11**

TRACY LEE ROUSE-HURST, an Individual  
  
Plaintiff,

**Adversary No. 13-01218-btb**

v.

**ANSWER TO PLAINTIFF'S  
ADVERSARY COMPLAINT**

SELECT PORTFOLIO SERVICING, INC., AS  
LOAN SERVICE AND ATTORNEY-IN-FACT  
FOR ACE SECURITIES CORP., HOME  
EQUITY LOAN TRUST, SERIES 2006-NC3,  
ASSET BACKED PASS-THROUGH  
CERTIFICATES, a Foreign Corporation;  
and HSBC BANK USA, NATIONAL  
ASSOCIATION, AS TRUSTEE IN TRUST  
FOR THE REGISTERED HOLDERS OF ACE  
SECURITIES CORP., HOME EQUITY LOAN  
TRUST, SERIES 2006-NC3, ASSET BACK  
PASS-THROUGH CERTIFICATES, a National  
Association,

Defendants.

1 Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND  
2 ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN TRUST,  
3 SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, by and through  
4 their attorneys, the law firm of Holland & Hart, LLP, hereby responds to the allegations  
5 contained in the Adversary Complaint ("Complaint") filed by TRACY LEE ROUSE-HURST,  
6 an Individual, as follows:

7 **JURISDICTIONAL AND PARTIES**

8 1. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
9 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
10 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, calls for a  
11 legal conclusion, to that extent an answer is required, Defendant is without knowledge or  
12 information sufficient to form a belief as to the truth of the allegations to Paragraph 1 of  
13 Plaintiffs' Complaint and therefore denies the same.

14 2. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
15 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
16 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, calls for a  
17 legal conclusion, to that extent to that extent an answer is required, Defendant is without  
18 knowledge or information sufficient to form a belief as to the truth of the allegations to  
19 Paragraph 2 of Plaintiffs' Complaint and therefore denies the same.

20 3. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
21 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
22 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, calls for a  
23 legal conclusion, to that extent to that extent an answer is required, Defendant is without  
24 knowledge or information sufficient to form a belief as to the truth of the allegations to  
25 Paragraph 3 of Plaintiffs' Complaint and therefore denies the same.

26 4. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
27 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
28 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, calls for a

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1 legal conclusion, to that extent, Defendant is without knowledge or information sufficient to  
2 form a belief as to the truth of the allegations to Paragraph 4 of Plaintiffs' Complaint and  
3 therefore denies the same.

4 5. SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND  
5 ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN TRUST,  
6 SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, calls for a legal  
7 conclusion, to that extent an answer is required, Defendant is without knowledge or information  
8 sufficient to form a belief as to the truth of the allegations to Paragraph 5 of Plaintiffs' Complaint  
9 and therefore denies the same.

10 6. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
11 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
12 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, is without  
13 knowledge or information sufficient to form a belief as to the truth of the allegations to  
14 Paragraph 6 of Plaintiffs' Complaint and therefore denies the same.

15 7. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
16 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
17 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, is without  
18 knowledge or information sufficient to form a belief as to the truth of the allegations to  
19 Paragraph 7 of Plaintiffs' Complaint and therefore denies the same.

20 8. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
21 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
22 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, admits to  
23 the allegations contained in paragraph 8 of Plaintiff's Complaint.

24 9. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
25 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
26 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, is without  
27 knowledge or information sufficient to form a belief as to the truth of the allegations to  
28 Paragraph 9 of Plaintiffs' Complaint and therefore denies the same.

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**Background**

10. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, admits to the allegations contained in Paragraph 10 of Plaintiffs' Complaint.

11. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, is without knowledge as to time or information sufficient to form a belief as to the truth of the allegations to Paragraph 11 of Plaintiffs' Complaint and therefore denies the same.

12. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, calls for a legal conclusion, to that extent an answer is required, Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations to Paragraph 12 of Plaintiffs' Complaint and therefore denies the same.

13. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, admits to the allegations contained in paragraph 13 of Plaintiff's Complaint.

14. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, is without knowledge or information sufficient to form a belief as to the truth of the allegations to Paragraph 14 of Plaintiffs' Complaint and therefore denies the same.

15. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, is without

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1 knowledge or information sufficient to form a belief as to the truth of the allegations to  
2 Paragraph 15 of Plaintiffs' Complaint and therefore denies the same.

3 16. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
4 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
5 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, calls for a  
6 legal conclusion, to that extent an answer is required, Defendant is without knowledge or  
7 information sufficient to form a belief as to the truth of the allegations to Paragraph 16 of  
8 Plaintiffs' Complaint and therefore denies the same.

9 17. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
10 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
11 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, calls for a  
12 legal conclusion, to that extent an answer is required, Defendant is without knowledge or  
13 information sufficient to form a belief as to the truth of the allegations to Paragraph 17 of  
14 Plaintiffs' Complaint and therefore denies the same.

15 18. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
16 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
17 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, denies the  
18 allegations contained in Paragraph 18 of Plaintiffs' Complaint.

19 19. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
20 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
21 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, admits  
22 the allegations contained in Paragraph 19 of Plaintiffs' Complaint.

23 20. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
24 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
25 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, calls for a  
26 legal conclusion, to that extent an answer is required, Defendant denies the allegations contained  
27 in Paragraph 20 of Plaintiffs' Complaint.  
28

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21. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, is without knowledge or information sufficient to form a belief as to the truth of the allegations to Paragraph 21 of Plaintiffs' Complaint and therefore denies the same.

22. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, is without knowledge or information sufficient to form a belief as to the truth of the allegations to Paragraph 22 of Plaintiffs' Complaint and therefore denies the same.

23. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, is without knowledge or information sufficient to form a belief as to the truth of the allegations to Paragraph 23 of Plaintiffs' Complaint and therefore denies the same.

**FIRST CAUSE OF ACTION**  
**(Declaratory Relief)**

24. In response to Paragraph 24 of Plaintiffs' Complaint, Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, incorporates by reference its responses to paragraphs 1 through 23 as if fully set forth herein.

25. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, denies the allegations contained in Paragraph 25 of Plaintiffs' Complaint.

26. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN

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1 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, is without  
2 knowledge or information sufficient to form a belief as to the truth of the allegations to  
3 Paragraph 26 of Plaintiffs' Complaint and therefore denies the same.

4 **SECOND CAUSE OF ACTION**  
5 **(Injunctive Relief)**

6 27. In response to Paragraph 27 of Plaintiffs' Complaint, Defendant SELECT  
7 PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR  
8 ACE SECURITIES CORP., HOME EQUITY LOAN TRUST, SERIES 2006-NC3, ASSET  
9 BACKED PASS-THROUGH CERTIFICATES, incorporates by reference its responses to  
10 paragraphs 1 through 26 as if fully set forth herein.

11 28. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
12 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
13 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, calls for a  
14 legal conclusion, to that extent an answer is required, Defendant is without knowledge or  
15 information sufficient to form a belief as to the truth of the allegations to Paragraph 28 of  
16 Plaintiffs' Complaint and therefore denies the same.

17 29. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
18 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
19 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, is without  
20 knowledge or information sufficient to form a belief as to the truth of the allegations to  
21 Paragraph 29 of Plaintiffs' Complaint and therefore denies the same.

22 **THIRD CAUSE OF ACTION**  
23 **(Attorney's Fees)**

24 30. In response to Paragraph 30 of Plaintiffs' Complaint, Defendant SELECT  
25 PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR  
26 ACE SECURITIES CORP., HOME EQUITY LOAN TRUST, SERIES 2006-NC3, ASSET  
27 BACKED PASS-THROUGH CERTIFICATES, incorporates by reference its responses to  
28



1 paragraphs 1 through 29 as if fully set forth herein.

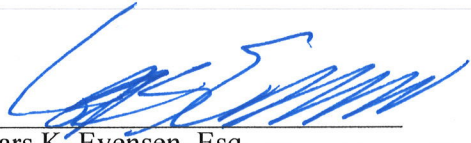
2 31. Defendant SELECT PORTFOLIO SERVICING, INC., AS LOAN SERVICE  
3 AND ATTORNEY-IN-FACT FOR ACE SECURITIES CORP., HOME EQUITY LOAN  
4 TRUST, SERIES 2006-NC3, ASSET BACKED PASS-THROUGH CERTIFICATES, denies the  
5 allegations contained in Paragraph 31 of Plaintiffs' Complaint.  
6

7 **PRAYER FOR RELIEF**

8 **WHEREFORE**, having fully answered Plaintiff's Complaint, Defendant SELECT  
9 PORTFOLIO SERVICING, INC., AS LOAN SERVICE AND ATTORNEY-IN-FACT FOR  
10 ACE SECURITIES CORP., HOME EQUITY LOAN TRUST, SERIES 2006-NC3, ASSET  
11 BACKED PASS-THROUGH CERTIFICATES, prays for the following relief:

- 12 1. That Plaintiffs take nothing by virtue of its Complaint;  
13 2. That Plaintiffs' Complaint be dismissed with prejudice;  
14 3. For an award of reasonable attorneys' fees and costs against Plaintiff; and  
15 4. For such other and further relief as this Court may deem just and equitable.  
16

17 DATED March 24, 2014.

18 By:   
19 Lars K. Evensen, Esq.  
20 Joseph G. Went, Esq.  
21 Holland & Hart LLP  
22 9555 Hillwood Drive, 2nd Floor  
23 Las Vegas, Nevada 89134

24 *Attorneys for Creditor*  
25 *Select Portfolio Servicing, as loan*  
26 *servicer and attorney-in-fact for ACE Securities*  
27 *Corp., Home Equity Loan Trust, Series 2006-*  
28 *NC3, Asset Backed Pass-Through Certificates*

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**CERTIFICATE OF SERVICE**

1. On the 24th day of March, 2014 I served the following document(s):

- **ANSWER TO PLAINTIFF'S ADVERSARY COMPLAINT**

2. I served the above-named document(s) by the following means to the persons as listed below:

☒ a. **ECF System**

**TRACY LEE ROUSE-HURST**

*Added: 12/11/2013*

*(Plaintiff)*

represented by

**BRANDON L. PHILLIPS**

3960 HOWARD HUGHES PKWY SUITE 500

LAS VEGAS, NV 89169

702-795-0097

702-795-0098 (fax)

blp@abetterlegalpractice.com

*Assigned: 12/11/13*

**I declare under penalty of perjury that the foregoing is true and correct.**

**DATED this 24th day of March, 2014**

*/s/ Alexis Grangaard*

\_\_\_\_\_  
SIGNATURE OF DECLARANT

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